

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,) CASE NO. 1:05CR252
)
Plaintiff,) JUDGE CHRISTOPHER A. BOYKO
)
v.)
)
IBRAHIM OUDEH,)
)
Defendant.) FINAL ORDER OF FORFEITURE

It appears to the Court that proper proceedings for the issuance of a Final Order of Forfeiture have been had in this case as follows:

1. On May 25, 2005, a federal grand jury sitting in this district returned a one count indictment against Ibrahim Oudeh and three (3) co-defendants. The indictment charged the defendants with conspiracy to distribute, and to possess with the intent to distribute, pseudoephedrine; in violation of 21 U.S.C. § 846, § 841(a)(1) and § 841(c)(2).

2. Pursuant to 21 U.S.C. § 853, the indictment further sought the forfeiture to the United States of any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as the result of

Count 1; and, any and all of their property used or intended to be used, in any manner or part, to commit or to facilitate the commission of Count 1.

3. On November 28, 2005, defendant Oudeh entered a plea of guilty to the charge set forth in Count 1 of the indictment and, pursuant to 21 U.S.C. § 853(a)(1), agreed to the forfeiture of the following property to the United States: \$50,000.00 in U.S. Currency.

4. Further, defendant Oudeh has agreed:

a.) The \$50,000.00 in U.S. Currency referred to in paragraph 3 is subject to forfeiture as it constitutes proceeds obtained, directly or indirectly, as the result of the commission of the criminal activity charged in Count 1 of the indictment.

b.) The defendant has transferred the \$50,000.00 in U.S. Currency to third parties, and/or has commingled the \$50,000.00 in U.S. Currency with other property which cannot be divided without difficulty.

c.) Defendant Oudeh agreed to turn over a check in the amount of \$50,000.00 to the United States.

d.) Defendant Oudeh further agreed to the forfeiture of the \$50,000.00 check to the United States as "substitute property" pursuant to 21 U.S.C. § 853(p).

5. A Preliminary Order of Forfeiture was filed on December 6, 2005. Therein, the \$50,000.00 check to be turned over by

defendant Oudeh was forfeited to the United States under 21 U.S.C. § 853, subject to the provisions of 21 U.S.C. § 853(n).

6. On January 16, 2007, defendant Oudeh turned over a \$50,000.00 cashier's check to the United States.

7. Pursuant to 21 U.S.C. § 853(n)(1), the United States published notification of the Court's Preliminary Order of Forfeiture in the Cleveland Daily Legal News. Attached hereto as Exhibit 1 is a copy of the notice.

8. No opposition to the forfeiture was filed as a result of the published notification.

Accordingly, it is ORDERED, ADJUDGED, and DECREED:

9. The following property is hereby finally forfeited to the United States under 21 U.S.C. § 853(a)(1) and § 853(p), and no right, title or interest shall exist in any other party:

a.) The \$50,000.00 cashier's check, which defendant IBRAHIM OUDEH turned over to the United States on January 16, 2007.

10. The United States shall seize and take control of the property, and shall dispose of it in accordance with law.

SO ORDERED this 30th day of April, 2007.

FILED
APR 30 2007

CLERK OF COURTS
U.S. DISTRICT COURT, N.D.O.
CLEVELAND

Christopher A. Boyko
Christopher A. Boyko
United States District Judge

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN
(See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form)

Plaintiff:	UNITED STATES OF AMERICA	Date Received by U.S. Marshal:	10SCR252
Defendant:	Abu Mohammed and Ibrahim Order.	Date Received by Office of Public Defender:	
SERVE BY:	Daily Legal News		
AT:	200 E. 9th Street MSA Post Office Attala, Cleveland, Ohio 44113		

Plaintiff or Plaintiff's Attorney Name and Address Below:

John J. Matal
Assistant United States Attorney
United States Attorney's Office
1200 Main Avenue, Suite 1000
Cleveland, Ohio 44101-3193

Plaintiff's Name	John J. Matal
Address	1200 Main Avenue, Suite 1000
City	Cleveland
State	Ohio
Zip	44101-3193

Service Date: 10SCR252 OR earlier date. MARSHAL INFO: Attestation of U.S. Marshal, Date of Service, Estimated Time, Available for Service.

Part B, the attached Notice in accordance with the Preliminary Order of Forfeiture, also attached.

RECEIVED
U.S. DEPT OF JUSTICE

Plaintiff's Name	John J. Matal	Date Received by U.S. Marshal:	10SCR252
Plaintiff's Address	1200 Main Avenue, Suite 1000	Date Received by Office of Public Defender:	10SCR252
SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE			
Initials of U.S. Marshal	JKS	Date of Service	10SCR252
Address of U.S. Marshal	1200 Main Avenue, Suite 1000	City	Cleveland
State	Ohio	Zip	44101-3193

I hereby certify and declare that I have personally served, have had no other copies of this process delivered to me, except as required by law, and that the service was made on the following day(s) at the address listed above:

Plaintiff's Name: John J. Matal					Date Received by U.S. Marshal:	10SCR252	
Plaintiff's Address: 1200 Main Avenue, Suite 1000					Date Received by Office of Public Defender:	10SCR252	
Initials of U.S. Marshal	JKS	Date of Service	10SCR252	Attestation of U.S. Marshal	John J. Matal	Date Received by Office of Public Defender:	10SCR252
Initials of U.S. Marshal	JKS	Date of Service	10SCR252	Attestation of U.S. Marshal	John J. Matal	Date Received by Office of Public Defender:	10SCR252

DEPLACED: ONCE A WEEK TO THREE WEEKS. PROOF ATTACHED.

**GOVERNMENT
EXHIBIT**

STATE OF OHIO,
COUNTY OF CUYAHOGA } SS.

Case No. 1:05CR252

Caption: United States v. Amin Mohammad, Ibrahim Oudeh

I, Carol Hackney, being duly sworn upon my oath, depose and say that I am the agent of the DAILY LEGAL NEWS, and that the annexed advertisement attached hereto was published in the DAILY LEGAL NEWS, a daily newspaper of general circulation, printed in the City of Cleveland, County of Cuyahoga, Ohio for a period of 3 consecutive weeks, and on the same day of each week, on and after the 3rd day of March A.D. 2007.

Publication Fee \$344.50

NOTICE OF PUBLICATION
Notice is hereby given that on December 6, 2005, in the case of United States v. Amin Mohammad, Ibrahim Oudeh, Criminal Case No. 1:05CR252, the United States District Court for the Northern District of Ohio entered an Order forfeiting the following properties to the United States of America:

1.) \$50,000.00 certified check, which defendant AMIN MOHAMMAD has agreed to turn over to the United States as "substitute property" pursuant to 21 U.S.C. § 853(p).

2.) \$100,000.00 in lieu of the forfeiture of the real estate property located at 1348 West 110 Street, Cleveland, Ohio; and, a service station located at 4196 Pearl Road, Cleveland, Ohio, (AMIN MOHAMMAD).

3.) \$80,000.00 certified check, which defendant IBRAHIM OUDEH turned over to the United States on January 16, 2007 as "substitute property" pursuant to 21 U.S.C. § 853(p).

The United States hereby gives notice of its intent to dispose of the subject properties in such manner as the United States Attorney General may direct. Any person (other than defendants Amin Mohammad and Ibrahim Oudeh) having or claiming a joint-right, title or interest in the subject properties must file a petition with the Court in the above-captioned case within thirty (30) days of the final publication of this notice. The petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest, and shall be filed with the Court at the following address: Clerk's Office, Carl B. Stokes U.S. Courthouse, 801 West Superior Avenue, Cleveland, Ohio 44113. A copy of the petition also shall be provided to the Office of the United States Attorney, Attention: Asset Forfeiture Section; Carl B. Stokes U.S. Courthouse, 801 West Superior Avenue, Suite 400, Cleveland, Ohio 44113. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the subject properties, the time and circumstances of the petitioner's acquisition of the right, title or interest, and any additional facts supporting the petitioner's claim and the relief sought.

United States Marshals Service
Northern District of Ohio
Mar-16-17, 2007

Daily Legal News
2935 Prospect Avenue
Cleveland, OH 44115
(216) 696-3322

PROOF OF PUBLICATION